



IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Group Art Unit 3632

In re

Patent Application of

Robert G. Penlesky, et al.

Application No. 10/817,425

Confirmation No.: 1298

Filed: April 2, 2004

Examiner: Anita M. King

"FAN MOUNTING SPACER ASSEMBLY  
AND METHOD"

I, Tijuana M. Jackson, hereby certify that this correspondence is being deposited with the US Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date of my signature.

Tijuana M. Jackson  
Signature

7-6-05  
Date of Signature

INFORMATION DISCLOSURE STATEMENT  
PURSUANT TO 37 CFR §1.97(b)

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The Examiner's attention is directed to the references which are listed on the attached Form PTO/SB/08A and/or PTO/SB/08B and copies of non-U.S. patent references are attached.

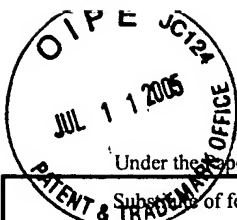
Citation of these references is respectfully requested.

No concession is made that these documents are prior art, and Applicants expressly reserve the right to antedate the documents as may be appropriate.

Respectfully submitted,

Stephen A. Gigot  
Reg. No. 51,232

File No. 018695-9352-00  
Michael Best & Friedrich LLP  
100 East Wisconsin Avenue  
Suite 3300  
Milwaukee, Wisconsin 53202-4108  
414.271.6560



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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete if Known</b>	
				<b>Application Number</b>	10/817,425
				<b>Filing Date</b>	April 2, 2004
				<b>First Name Inventor</b>	Robert G. Penlesky
				<b>Group Art Unit</b>	3632
				<b>Examiner Name</b>	Anita M. King
<b>Sheet</b>	1	of	6	<b>Attorney Docket Number</b>	018695-9352-00

### U.S. PATENT DOCUMENTS

Examiner Initials	U.S. Patent Document Number	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document
	1,030,028	Stampahar et al.	6/18/1912
	1,395,833	Kling et al.	11/1/1921
	1,532,635	Osbum	4/7/1925
	1,895,642	Preble	1/31/1933
	1,941,450	Sylvan	1/2/1934
	2,019,867	Nelson	11/5/1935
	2,108,283	Drew et al.	2/15/1938
	2,189,008	Kurth	2/6/1940
	2,220,127	Slayter	11/5/1940
	2,278,581	Dexter	4/7/1942
	2,325,657	Burkness	8/3/1943
	2,483,377	Young	9/27/1949
	2,562,600	Cadwell et al.	7/31/1951
	2,668,491	Gerlitz	2/9/1954
	2,673,514	Hanks	3/30/1954
	2,710,573	Marker	6/14/1955
	2,780,981	Miller	2/12/1957
	2,875,678	Sheperd	3/3/1959

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Substitute of form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>	
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Sheet	2	of	6	Attorney Docket Number	018695-9352-00

U.S. PATENT DOCUMENTS				
Examiner Initials		U.S. Patent Document Number	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document
		2,911,900	Rudy	11/10/1959
		2,963,956	Hill	12/13/1960
		2,987,258	North	6/6/1961
		3,002,676	Papsdorf	10/3/1961
		3,045,579	Jenn et al.	7/24/1962
		3,064,548	Field	11/20/1962
		3,068,341	Ortiz et al.	12/11/1962
		3,075,335	Bandlow	1/29/1963
		3,101,662	Alldritt	8/27/1963
		3,211,080	Rader	10/12/1965
		3,212,425	Hazen	10/19/1965
		3,249,037	Stalker	5/3/1966
		3,250,063	Andrews	5/10/1966
		3,276,597	Mesek et al.	10/4/1966
		3,326,112	Sadlow et al.	6/20/1967
		3,391,689	Roger	7/9/1968
		3,438,180	Klouda	4/15/1969
		3,577,710	Feldman	5/4/1971

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U.S. PATENT DOCUMENTS				
Examiner Initials		U.S. Patent Document Number	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document
		3,606,593	Steiner	9/20/1971
		3,630,007	Neumann	12/28/1971
		3,636,306	Bumpus	1/18/1972
		3,665,838	Shepherd	5/30/1972
		3,692,977	Duhamel et al.	9/19/1972
		3,698,833	Cann et al.	10/17/1972
		3,732,030	Mullings	5/8/1973
		3,743,439	Cann	7/3/1973
		3,785,271	Joy	1-15-1974
		3,788,207	Doherty, II	1/29/1974
		3,861,894	Marsh	1/21/1975
		3,926,537	Piper	12/16/1975
		3,952,638	Felter et al.	4/21/1976
		4,073,597	Barnhart et al.	2/14/1978
		4,115,082	Newell	9/19/1978
		4,141,703	Mulchi	2/27/1979
		4,252,547	Johnson	2/24/1981
		4,319,898	Maierhofer	3/16/1982
		4,335,647	Timmons	6/22/1982
		4,336,749	Barnhart et al.	6/29/1982
		4,382,440	Kapp et al.	5/10/1983
		4,385,911	Popeil et al.	5/31/1983

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		4,385,550	Steiner et al.	5/31/1983
		4,406,216	Hott et al.	9/27/1983
		4,510,851	Sarnosky et al.	4/16/1985
		4,594,940	Wolbrink et al.	6/17/1986
		4,610,705	Sarnosky et al.	9/9/1986
		4,628,802	Steiner	12/16/1986
		4,630,182	Moroi et al.	12/16/1986
		4,867,640	Penlesky et al.	9/19/1989
		5,664,872	Spearman et al.	9/9/1997
		5,879,232	Luter, II et al.	3/9/1999
		5,918,972	Van Belle	7/6/1999
		5,934,783	Yoshikawa	8/10/1999
		6,027,406	Yazici	2/22/2000
		6,095,671	Hutain	8/1/2000
		6,261,175	Larson et al.	7/17/2001
		6,340,237	Koga et al.	1/22/2002
		6,488,579	Larson et al.	12/3/2002
		6,498,423	Bell et al.	12/24/2002
		6,446,404	Bassin	2/10/2002
		6,367,218	Lombardo	9/4/2002
		6,330,774	Weinstein	12/18/2001
		5,916,102	Peyton	6/29/1999

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		5,816,005	Han	10/6/1998
		5,590,500	McCue	1/7/1997
		4,889,572	Danico et al.	12/26/1989
		4,804,569	Arisawa	2/14/1989
		4,177,305	Feingold et al.	12/4/1979
		3,521,418	Bartoloni	7/21/1970
		3,270,473	Smith	9/6/1966
		2,580,103	Keller et al.	12/25/1951
		1,970,054	Nordan	8/14/1934
		4,073,597	Barnhart et al.	2/14/1978
		3,926,537	Piper	12/16/1975
		4,316,999	Nattel	2/23/1982
		4,335,271	Haslbeck	4/10/1990
		3,676,571	Rubinstein	7/11/1972
		4,149,028	Gressitt et al.	4/10/1979

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FOREIGN PATENT DOCUMENTS							
Examiner Initials		Country Code	Foreign Patent Document Number	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document	Translation	English Abstract
	*	FR	1,234,767	NEU SA, France	10/19/1960		
	*	BE	648,597	A.B. BAHCO Corporation	9/15/1964		
		JP	11,117,497	MAGUEKKUSU:kk	4/27/1999		X
		CA	1,332,592	Penlesky et al.	10/18/1994		

\*Statement of Relevance attached.

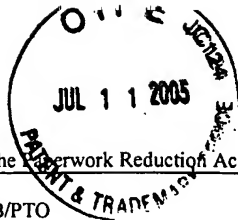
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				Group Art Unit	3632
				Examiner Name	Anita M. King
Sheet	1	of	1	Attorney Docket Number	018695-9352-00

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS		
Examiner Initials		Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc. ), date, pages(s), volume-issue numbers(s), publisher, city and/or country where published.
		Spartan Electric Company, Direct Drive Whole House Fans Publication, published prior to November 2003.
		Emerson Environmental Products, Whole House Fan and Shutter System Owners Manual, December 1982.

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